



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

Serial No: 10/685,776

Filed: October 15, 2003

For: METHOD FOR FORMING THROUGH A
GUARD AN IMPLANTATION SPACE IN THE
HUMAN SPINE

Confirmation No.: 6323

Art Unit: 3764

Examiner: (Michael Brown)

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

No additional fee is required.

Applicant hereby requests a ***month extension of time to respond to the above office action.

An Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO-1449 with 7 documents are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	138	-	52	**	86	LG=\$50 SM=\$25	\$50
INDEPENDENT CLAIMS FEE	4	-	3	***	1	LG=\$200 SM=\$100	\$200
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180	\$ 0
						TOTAL	\$ 4,500.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

A check in the amount of \$4,500.00 to cover the additional claims fee is enclosed.

The total amount of \$____ to cover the ***-month extension of time fee is to be charged to Deposit Account No. 50-1068.

The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. **A copy of this sheet is enclosed.**

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLP

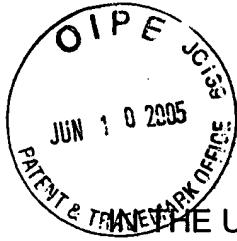
By:



Thomas H. Martin
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PATENT
Attorney Docket No. 102.0001-13000
Customer No. 22882

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Sir:

AMENDMENT

Prior to the examination of the above-identified application, the following amendments and remarks are submitted:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 17 of this paper.